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Attorney Docket No: 1171/42397/151-PCT-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Smith and McPhee)
Title: ISOLATED TEMPERATURE)
SENSOR FOR HUMIDIFICATION)
SYSTEM)
Serial No.: 10/523,132)
Filed: January 21, 2005)
Art Unit: Not Yet Assigned)
Atty Docket No.: 1171/42397/151-PCT-US)

CERTIFICATE OF MAILING	
I HEREBY CERTIFY THAT THIS PAPER OR FAX IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE OR THE COMMERCIAL FACILITY AT 1400, Alexandria, VA 22313-1400.	
August 25, 2005	
Tiffany E. Sexter	

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450
MAIL STOP: MISSING PARTS

Sir:

The above-noted application was filed on January 21, 2005, via Express Mail. As a result of the original, executed Declaration document not being attached to said application, a Notice to File Missing Parts issued.

In response to the aforementioned Notice, please find enclosed herewith the following:

- a. The original Declaration and Power of Attorney for Patent Application, executed by the inventors, Malcolm David Smith and Stephen William McPhee.
- b. A copy of the aforementioned Notice to File Missing Parts of Application
- c. A check in the amount of \$130.00 for payment of late filing of the executed Declaration and Power of Attorney.

If the afore-mentioned check is missing or insufficient, the Commissioner is hereby authorized and requested to charge Deposit Account No. 20-1495 any amount necessary to cover any costs associated with this Response or to credit any overpayment.

Respectfully submitted,

Dated: August 24, 2005

By: Raiford A. Blackstone, Jr.

Raiford A. Blackstone, Jr., Reg. No. 25,156
Linda L. Palomar, Reg. No. 37,903
Attorneys for Applicant
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES GOVERNMENT OF THE UNITED
STATES PATENT AND TRADEMARK OFFICE
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Washington, D.C. 20591-1450

10/923,132	Malcolm David Smith	1171/42397/151-PCT-US
RECEIVED		INTERNATIONAL APPLICATION NO.
		PCT/NZ03/00164
AUG 15 2005		LA. FILING DATE
TREXLER, BUSHNELL, GIANGIORGIO, BLACKSTONE & MARR, LTD.		PRIORITY DATE
		07/25/2003 07/31/2002

279
TREXLER, BUSHNELL, GIANGIORGIO,
BLACKSTONE & MARR, LTD.
105 WEST ADAMS STREET
SUITE 3600
CHICAGO, IL 60603

TREXLER, BUSHNELL, GIANGIORGIO,
BLACKSTONE & MARR, LTD.

CONFIRMATION NO. 1452

371 FORMALITIES LETTER

OC000000016713929

Date Mailed: 08/09/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/21/2005
- Copy of the International Search Report filed on 01/21/2005
- Copy of IPE Report filed on 01/21/2005
- Preliminary Amendments filed on 01/21/2005
- Information Disclosure Statements filed on 01/21/2005
- U.S. Basic National Fees filed on 01/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

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DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,
WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,132	PCT/NZ03/00164	1171/42397/151-PCT-US

FORM PCT/DO/EO/905 (371 Formalities Notice)



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Case 151
1171/42397

August 25, 2005
RAB/LLP/tes

For: **ISOLATED TEMPERATURE SENSOR FOR
HUMIDIFICATION SYSTEM**
S/N: 10/523,132
Filed: January 21, 2005
Applicant: Smith and McPhee

Enclosed: **RESPONSE TO NOTICE TO FILE MISSING
REQUIREMENTS UNDER 35 USC 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE**; copy of the Notification of Missing
Parts; Executed Declaration and Power of Attorney; A check in the amount
of \$130.00; Certificate of First Class Mailing and this postcard.

Receipt Acknowledged: _____

F/U: 09/25/05

HON. COMMISSIONER FOR PATENTS:

Kindly stamp card with date of receipt of attached material and return to
attorneys of record.

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40091

**TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.**

THE NORTHERN TRUST COMPANY
CHICAGO, ILLINOIS
2-15710

105 W. AUAMSS ST., SUITE 3600
CHICAGO, IL 60603-6299
PH: (312) 704-1890

Commissioner of Patents and Trademark

PAY TO THE ORDER OF

 Security Features included.

AMOUNT
* \$130.00*

DATE
08/25

NOT TO EXCEED \$20,000.00

ONE HUNDRED THIRTY AND 00/100 DOLLARS

三

W. H. Thompson

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